

# **EXHIBIT E**

Adam Wolek (*pro hac vice*)  
Taft Stettinius & Hollister LLP  
111 E. Wacker Drive, Suite 2800  
Chicago, Illinois 60601  
Tel: 312.836.4063  
Fax: 312.966.8598  
awolek@taftlaw.com

DAVID A. MAKMAN (SBN 178195)  
david@makmanlaw.com  
LAW OFFICES OF DAVID A. MAKMAN  
655 Mariner's Island Blvd, Suite 306  
San Mateo, CA 94404  
Telephone: (650) 242-1560  
Facsimile: (408) 716-3052

*Attorneys Appearing in a Limited Capacity for  
Counter-Defendants Boon Global Limited, F8  
Vietnam Company Limited, California Fitness &  
Yoga Centers, California Management Group,  
and Randy Dobson*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

PARKRIDGE LIMITED, a Hong Kong corporation, by  
Mabel Mak, and MABEL MAK, an individual,  
Plaintiffs,

v.

INDYZEN, INC., a California corporation, and PRAVEEN  
NARRA KUMAR, an individual,  
Defendants.

INDYZEN, INC., a California corporation, and PRAVEEN  
NARRA KUMAR, an individual,

Counter-Plaintiffs,

v.

PARKRIDGE LIMITED, a Hong Kong corporation, BOON  
GLOBAL LIMITED, a Hong Kong corporation, F8  
VIETNAM COMPANY LIMITED, a Vietnam company,  
CALIFORNIA FITNESS & YOGA CENTERS, an entity of  
unknown form, CALIFORNIA MANAGEMENT GROUP,  
an entity of unknown form, and RANDY DOBSON, an  
individual,

Counter-Defendants.

Case No. 16-cv-07387

**[PROPOSED] ORDER  
GRANTING CALIFORNIA  
FITNESS & YOGA CENTERS  
COMPANY LIMITED'S MOTION  
TO DISMISS INDYZEN'S  
PETITION TO COMPEL  
ARBITRATION PURSUANT TO  
FRCP 12(b)(2), 12(b)(3), AND  
(12)(b)(6)**

Date: February \_\_, 2018  
Time: N/A  
Dept.: N/A  
Judge: Hon. Jeffrey S. White

**[PROPOSED] ORDER**

This matter having come before the Court on Counter-Plaintiff Indyzen, Inc.'s ("Indyzen") Petition to Compel Arbitration (the "Petition") as to California Fitness & Yoga Centers Company Limited ("CFYC"), due notice having been given, and the Court being fully advised,

**IT IS HEREBY ORDERED:**

1. CFYC's Motion to Dismiss the Petition is hereby GRANTED. This Court does not have personal jurisdiction and venue over CFYC as required by Federal Rules of Civil Procedure 12(b)(2) and 12(b)(3). Furthermore, to the extent that this Court has jurisdiction, the Petition should also be dismissed pursuant to Federal Rule of Civil Procedure 12(b)(6) for failure to properly state a claim. Indyzen's claims against CFYC fall outside the scope of the arbitration clause agreed to by Indyzen and Parkridge Limited.

2. CFYC is dismissed from this matter with prejudice.

Dated: \_\_\_\_\_

\_\_\_\_\_  
HONORABLE JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE